MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA AND THE DEPARTMENT OF NATIONAL DEFENCE OF CANADA CONCERNING RECIPROCAL ARRANGEMENTS FOR THE PROVISION OF HEALTH CARE SERVICES

Whereas, the Department of Defense of the United States of America and the Department of National Defence of Canada, hereinafter referred to as the "Participants," have agreed to an exchange of health services, previously covered under a Memorandum of Understanding, "Reciprocal Arrangements for the Provision of Medical and Dental Services," executed on 3 November 1986, with an expiration date of November 2, 1991, extended to May 2, 1993, and

Whereas, the Participants have considered the provisions concerning medical and dental care in paragraphs 5 and 7, Article IX, of the Agreement of the Parties to the North Atlantic Treaty Regarding the Status of Their Forces, done in London on June 19, 1951, and

Whereas, the laws and regulations of the United States provide that inpatient medical care in Department of Defense medical treatment facilities in the United States may be furnished without cost to foreign personnel in the United States, provided that the foreign government makes available comparable care for a comparable number of United States personnel in its country, and

Whereas, the Participants have determined that appropriate conditions exist to assure that comparable care to comparable numbers will be made available by each Participant,

Now, therefore, the Participants agree as follows:

SECTION I
GENERAL

1. In the implementation and administration of this Memorandum of Understanding, the Representative of the Department of Defense of the United States will be the Assistant Secretary of Defense for Health Affairs, and the Representative of the Department of National Defence of Canada will be the Assistant Deputy Minister of Personnel.

2. This Memorandum of Understanding applies to military members of the Participants, except as noted in subsection 2 of

Section III, and accompanying dependents of United States military members, who are in each others' country at the official invitation of the receiving government, or who are in each other's country as crew of visiting military aircraft or military vessels which land at each other's military airfields or dock in each other's ports on official military business.

3. Requirements for identification and proof of eligibility by persons requesting health care under this Memorandum of Understanding will be as prescribed by the Participant furnishing the care.

4. The Military Departments of the United States Department of Defense have agreed to make available the health care specified in this Memorandum of Understanding, subject to their regulations and the availability of funds.

SECTION II
DEFINITIONS

1. Supplemental care: Medically indicated health care provided by a non-military agency, facility, or practitioner, when authorized and funded by an appropriate health care official of the Participant or government providing the care.

2. Dependents: The term "dependents" is defined to include the following:

a. Spouse. A person who, based on the laws and military regulations of the military member's country, is considered to be the lawful wife or husband of the military member.

b. Dependent child. The child of a military member who depends on the military member for support, as defined by the regulations of the Participant receiving the care.

3. Subsistence surcharge: A charge for meals consumed in a Department of Defense military treatment facility.

SECTION III
HEALTH CARE TO BE MADE AVAILABLE BY THE UNITED STATES

1. With the exception noted in subsection 2, below, the Department of Defense of the United States will make available for military members of Canada covered by this Memorandum of Understanding, outpatient and inpatient medical and dental care in Department of Defense facilities in the United States,

including supplemental care, without cost (except for a subsistence surcharge, if applicable).

2. As an exception to the provisions of subsection 1, above, Canadian military members in the United States under the Foreign Military Sales (FMS) program are not covered by this agreement.

SECTION IV
HEALTH CARE TO BE MADE AVAILABLE BY CANADA

The Department of National Defence of Canada will make available:

a. for military members of the United States covered by this Memorandum of Understanding, outpatient and inpatient medical and dental care in Department of National Defence facilities in Canada, including supplemental care, without cost, and

b. for their accompanying dependents, outpatient and inpatient medical care in Department of National Defence facilities in Canada, including supplemental care, without cost.

SECTION V
DISPUTE RESOLUTION

1. Questions relating to interpretation of the provisions of this Memorandum of Understanding, or implementation of this Memorandum of Understanding, will be referred for mutual resolution to both of the Representatives of the Participants.

2. No disputes or disagreements concerning this Memorandum of Understanding or its termination will be referred to third parties or international tribunals for review, resolution, or settlement.

SECTION VI
TERMS

1. The terms of this Memorandum of Understanding will supersede conflicting provisions relating to offers of health care included in other agreements in effect between the Participants and, on its effective date, cancel the Memorandum of Understanding between the Participants, "Reciprocal Arrangements for the Provision of Medical and Dental Services," executed on 3 November 1986.

2. This Memorandum of Understanding may be amended by mutual agreement, by an exchange of letters between the Representatives of the Participants.

3. This Memorandum of Understanding will enter into force on the date of last signature, and remain in effect for three years unless terminated by the Representative of either Participant by giving at least ninety days written notice to the Representative of the other Participant.

For the Department of Defense, United States of America:

Edward D. Martin

Edward D. Martin, M.D.
Acting Assistant Secretary of Defense for Health Affairs

Signed at Washington, DC

May 3, 1993

For the Department of National Defence of Canada:

Lieutenant General P.G. Addy
Assistant Deputy Minister of Personnel

Signed at Ottawa, Canada

15 Apr 1993